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6 Attorneys for the Official Committee of  
7 Unsecured Creditors

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10 **UNITED STATES BANKRUPTCY COURT**  
**CENTRAL DISTRICT OF CALIFORNIA**  
**NORTHERN DIVISION**

11 In re:  
12 HVI CAT CANYON, INC.

13 Debtor.  
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Case No.: 19-bk-11573-MB  
Chapter 11

**AMENDED FIRST AND FINAL  
APPLICATION OF COLE SCHOTZ  
P.C. FOR ALLOWANCE AND  
PAYMENT OF COMPENSATION AND  
REIMBURSEMENT OF EXPENSES  
FOR SERVICES RENDERED AS  
CO-COUNSEL TO THE OFFICIAL  
COMMITTEE OF UNSECURED  
CREDITORS FOR THE PERIOD  
AUGUST 27, 2019 THROUGH  
SEPTEMBER 11, 2019;  
DECLARATION OF MICHAEL D.  
WARNER IN SUPPORT THEREOF**

[First Application Period: August 27, 2019  
– September 11, 2019]

Date: January 30, 2020  
Time: **10:00 a.m. [corrected time]**  
Place: Courtroom 201  
U.S. Bankruptcy Court  
1415 State Street  
Santa Barbara, CA 93101  
Judge: Hon. Martin R. Barash

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1 **TO THE HONORABLE MARTIN BARASH, UNITED STATES BANKRUPTCY JUDGE,**  
2 **THE DEBTOR, THE CHAPTER 11 TRUSTEE, THE OFFICE OF THE UNITED STATES**  
3 **TRUSTEE, AND ALL PARTIES REQUESTING SPECIAL NOTICE:**

4 Cole Schotz P.C. (“Cole Schotz” or the “Firm”), co-counsel to the Official Committee of  
5 Unsecured Creditors (the “Committee”) for the bankruptcy HVI Cat Canyon, Inc., the debtor herein  
6 (“Debtor” or “HVI Cat Canyon”), hereby submits its *First and Final Fee Application of Cole Schotz*  
7 *P.C. for Allowance and Payment of Compensation and Reimbursement of Expenses for Services*  
8 *Rendered as Financial Advisor to the Official Committee of Unsecured Creditors for the Period*  
9 *August 27, 2019 through September 11, 2019* (the “Application”) for the period of August 27, 2019  
10 through September 11, 2019 (the “Employment Period”) pursuant to sections 328, 330 and 331 of  
11 the Bankruptcy Code.<sup>1</sup>

12 Pursuant to this Application, Cole Schotz seeks (a) approval, on a final basis, fees and  
13 expenses totaling \$20,554.00 in for the period August 27, 2019 through September 11, 2019,  
14 consisting of \$20,480.50 in fees incurred and \$73.50 in expenses incurred.

15 **I.**

16 **INTRODUCTORY STATEMENT**

17 Local Bankruptcy Rule 2016-1 sets forth certain requirements that a professional must satisfy  
18 in order to obtain an award for fees and costs. Additional standards to be employed in the review of  
19 fee applications are set forth in the *United States Trustee’s Guidelines for Reviewing Applications*  
20 *for Compensation and Reimbursement of Expenses Filed Under 11 U.S.C. § 330* (the “Compensation  
21 Guidelines”). Finally, cases interpreting sections 330 and 331 of the Bankruptcy Code have required  
22 that courts consider the twelve (12) factors that the Ninth Circuit Court of Appeals articulated in  
23 *Kerr v. Screen Extras Guild*, 526 F.2d 67, 70 (9th Cir. 1975), *cert. denied*, 425 U.S. 951, 96 S.Ct.  
24 726 (1976). The Ninth Circuit’s primary method used to determine the reasonableness of fees is to  
25 calculate the “lodestar.” *In re Charles Russell Buckridge, Jr.*, 367 B.R. 191, 201 (C.D. Cal. 2007).  
26 The lodestar is ascertained by multiplying the number of hours reasonably expended by a reasonable  
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<sup>1</sup> All references to sections of the “Bankruptcy Code” are to sections of 11 U.S.C. §§ 101-1532, as amended.

1 hourly rate. *Law Offices of David A. Boone v. Derham-Burk (In re Eliapo)*, 468 F.3d 592, 598  
2 (9<sup>th</sup> Cir. 2006). As set forth more fully herein, this Application complies with all statutory guidelines  
3 and Court-imposed requirements.

4 **II.**

5 **PRELIMINARY SUMMARY OF COMPENSATION DATA FOR THIS APPLICATION**

6 **A. ORDER RE EMPLOYMENT ENTERED:** November 18, 2019, with employment as co-  
7 counsel to the Committee effective as of August 27, 2019 [Docket No. 522].

8 **B. PERIOD OF EMPLOYMENT COVERED BY THIS APPLICATION:** August 27, 2019  
9 through September 11, 2019

10 **C. HOURS OF PROFESSIONAL TIME WHICH IS THE SUBJECT OF THIS  
11 APPLICATION:** 39.70

12 **D. FEES REQUESTED BY THIS APPLICATION:** \$20,480.50

13 **E. EXPENSES REQUESTED BY THIS APPLICATION:** \$73.50

14 **F. AMOUNT OF PREPETITION RETAINER RECEIVED:** \$0

15 **G. AMOUNT OF FEES AND EXPENSES PREVIOUSLY AWARDED:** \$0

16 **H. AMOUNT OF FEES AND EXPENSES PAID POST-PETITION:** \$0

17  
18 **III.**

19 **BRIEF NARRATIVE HISTORY AND PRESENT POSTURE OF THE CASE**

20 This Application covers the period August 27, 2019 through September 11, 2019. This is the  
21 Firm's first and final application for fees and expenses in this case.

22 1. On July 25, 2019 (the "Petition Date"), the Debtor filed a voluntary petition for relief  
23 under chapter 11 of title 11 of the United States Code (the "Bankruptcy Code") in the United States  
24 Bankruptcy Court for the Southern District of New York (the "SDNY Court"), thereby commencing  
25 this chapter 11 case, bearing case number 19-12417 (MEW) (the "Case").

26 2. On August 9, 2019, the United States Trustee for the Southern District of New York  
27 appointed the Committee to represent the interests of all unsecured creditors in this case pursuant to  
28 section 1102 of the Bankruptcy Code. The members appointed to the Committee are: (i) Brian

1 Corson, in his Individual Capacity; (ii) Escole Tenants in Common; and (iii) Pacific Petroleum  
2 California, Inc. *See Appointment of Official Committee of Unsecured Creditors' Committee* [Docket  
3 No. 34].

4 3. On August 27, 2019, the Committee held a meeting and, among other things, voted to  
5 retain Cole Schotz as its general bankruptcy co-counsel.

6 4. On August 28, 2019, the SDNY Court entered an Order Transferring Venue to United  
7 States Bankruptcy Court for the Northern District of Texas [Docket No. 106] (the "NDTX Court"),  
8 bearing case number 19-32857-hdh11.

9 5. On September 12, 2019, the NDTX Court entered an Order Granting Transfer of  
10 Venue, transferring the Case to this Court [Docket No. 184]. On September 16, 2019, the Case was  
11 transferred to this Court, and assigned case number 19-bk-11573-MB.

12 6. On October 2, 2019, Cole Schotz filed its *Application for an Order Authorizing and*  
13 *Approving the Employment of Cole Schotz P.C. as Co-Counsel to the Official Committee of*  
14 *Unsecured Creditors, Effective as of August 27, 2019 through September 11, 2019* [Docket No.  
15 338], which was approved by order entered by this Court on November 18, 2019 [Docket No. 522].

16 7. On October 7, 2019, the California State Lands Commission, California Department  
17 of Conservation Division of Oil, Gas, and Geothermal Resources, Santa Barbara County, the Air  
18 Pollution District, the Office of Harry E. Hagen, Treasurer-Tax Collector, and Buganko, LLC filed a  
19 *Motion for Appointment of a Chapter 11 Trustee* [Docket No. 356], which was approved by agreed  
20 order entered on October 16, 2019 [Docket No. 409].

21 8. On October 21, 2019, the Office of the United States Trustee filed its *Notice of*  
22 *Appointment of Chapter 11 Trustee* [Docket No. 418], appointing Michael A. McConnell to serve as  
23 the Chapter 11 Trustee (the "Chapter 11 Trustee"), which appointment was accepted by the  
24 Chapter 11 Trustee that same day [Docket No. 420].

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IV.

**NARRATIVE STATEMENT OF SERVICES  
RENDERED AND TIME EXPENDED**

**A. Services Performed and Time Expended During the Employment Period.**

Cole Schotz believes that its services have provided a benefit to the Committee and its constituents. Set forth below is an explanation of the services rendered by Cole Schotz's professionals on the Committee's behalf on a category-by-category basis. Given the duration of Cole Schotz's role in this matter, these categories are limited.

### **1. Case Administration (26.0 hours; \$15,362.50).**

Under this project category, Cole Schotz worked on numerous tasks that included the first transfer of the cases from SDNY Court to the NDTX Court, which included reviewing various filings and participating in multiple conference calls on strategy and overall case objectives. In this regard, Cole Schotz's professionals were integral to the Committee's efforts to plan for and address issues related the transfer of this case to the NDTX Court with the Committee and its professionals, both before and after such transfer.

Cole Schotz professionals specifically expended time, *inter alia*, preparing for and attending the initial hearing before the NDTX Court as well as reviewing and analyzing the Debtors' Cash Management Motion and the Committee's Information Procedures Motion. Furthermore, Cole Schotz's professionals reviewed multiple pleadings for local practice and procedure as well as prepared and filed *pro hac vice* motions and a notice of appearance in this case.

## **2. Fee/Employment Applications (15.9 hours; \$5,118.00).**

Included within this task code is time expended by Cole Schotz's professionals performing various functions directly related to compliance with the retention requirements of the Bankruptcy Code and other pertinent rules. In this regard, Cole Schotz's professionals not only prepared Cole Schotz's own retention application, but also reviewed, revised, and filed the retention application of its co-

1 counsel, the Pachulski Stang Ziehl & Jones LLP firm. Time was also expended addressing the impact  
2 of the transfer of the case from the NDTX Court to this Court.

3 **B. Detailed Listings of All Time that Cole Schotz Spent on the Matters for Which**  
4 **Compensation is Sought (Local Bankruptcy Rule 2016-1(a)(1)(E)).**

5 **Exhibit A** annexed to the declaration of Michael D. Warner (the “Warner Declaration”)  
6 contains Cole Schotz’s time detail by task code, professional, and the full time detail respectively  
7 during the Employment Period.

8 **C. List of Expenses by Category (Local Bankruptcy Rule 2016-1(a)(1)(F)).**

9 Cole Schotz has billed \$73.50 in expenses during the Employment Period which is outlined  
10 in **Exhibit A** to the Warner Declaration.

11 **D. Rates (Local Bankruptcy Rule 2016-1(a)(1)(G)).**

12 Cole Schotz’s professionals who rendered services to the Committee during the Employment  
13 Period and their corresponding hourly rates are as follows:

14	Michael D. Warner (Member)	\$840.00
15	Benjamin L. Wallen (Associate)	\$350.00
16	Kerri LaBrada (Paralegal)	\$255.00

17 **E. Professionals and Paraprofessionals**

18 The biographies of the attorneys who have worked on this matter and a description of their  
19 professional experience and education are attached to the Warner Declaration as **Exhibit B**. Cole  
20 Schotz has no understanding, agreement, or arrangement of any kind to divide with or pay to  
21 anyone any of the fees to be awarded in these proceedings, except to be shared among members of  
22 the Firm.

23 **F. Notice of Application and Hearing**

24 A hearing date for interim fee applications is targeted for January 30, 2020. This Application  
25 will be served by NEF notice or by first class U.S. mail, as required, on (a) the Debtor; (b) the  
26 Chapter 11 Trustee, (c) the Committee, (d) the Office of the United States Trustee, and (e) parties  
27 that have filed with the Court requests for notice of all matters in accordance with Bankruptcy Rule  
28 2002(i).

1 V.  
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5 **THE FEES AND EXPENSES REQUESTED SHOULD BE**  
**AWARDED BASED UPON APPLICABLE LAW**

6 The fees and expenses that Cole Schotz requests in this Application are an appropriate award  
7 for Cole Schotz's services in acting as co-counsel to the Committee.  
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10 **A. Factors In Evaluating Requests for Compensation**  
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12 Pursuant to section 330 of the Bankruptcy Code, the Court may award to a professional  
13 person reasonable compensation for actual, necessary services rendered, and reimbursement for  
14 actual, necessary expenses incurred. As set forth above, the fees for which the Firm requests  
15 compensation and the costs incurred for which the Firm requests reimbursement are for actual and  
16 necessary services rendered and costs incurred in the Case.  
17

18 The professional services rendered by the Firm have required an expenditure of substantial  
19 time and effort. During the Fee Period, 39.70 hours have been recorded by members of the Firm.  
20

21 Moreover, time and labor devoted is only one of many pertinent factors in determining an  
22 award of fees and costs. Based on the skills brought to bear in the Case by the Firm and the results  
23 obtained and in light of the accepted lodestar approach, the Firm submits that the compensation  
24 requested herein is reasonable and appropriate.

25 Cole Schotz submits that the professional services it rendered to the Committee during the  
26 Employment Period were reasonable, necessary, and expected to benefit the estate and its  
27 constituents at the time they were incurred. These services required a high level of professional  
28 competence and expertise. Cole Schotz believes its services were performed efficiently and  
29 effectively and have led to a quick transition to a Chapter 11 trustee. The hourly rates Cole  
30 Schotz's professionals bill are customary for the professional services they render in other matters  
31 and are fair and reasonable in the industry.

32 The Application will be conspicuously posted on Epiq Corporate Restructuring's website at:  
33  
34 <https://dm.epiq11.com/case/HVICat/dockets>.  
35  
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1      **B. The Lodestar Award Should be Calculated by Multiplying a Reasonable Hourly Rate**  
2      by the Hours Expended

3            In determining the amount of allowable fees under section 330 (a) of the Bankruptcy Code,  
4          courts are to be guided by the same “general principles” as are to be applied in determining awards  
5          under the federal fee-shifting statutes, with “some accommodation to the peculiarities of bankruptcy  
6          matters.” *In re Manoa Finance Co., Inc.*, 853 F.2d 687, 691 (9th Cir. 1988); *see Meronk v. Arter &*

7          *Hadden, LLP (In re Meronk)*, 249 B.R. 208, 213 (B.A.P. 9<sup>th</sup> Cir. 2000) (reiterating that *Manoa*  
8          *Finance* is the controlling authority and characterizing the factor test<sup>2</sup> identified in *Johnson v.*  
9          *Georgia Highway Express, Inc.* 488 F.2d 714 (5<sup>th</sup> Cir. 1974) and *Kerr v. Screen Extras Guild, Inc.*  
10        526 F. 2d 67, 70 (9th Cir. 1975), *cert. denied*, 425 U.S. 951 (1976) as an “obsolete laundry list” now  
11        subsumed within more refined analyses).

12           The United States Supreme Court has evaluated the lodestar approach and endorses its usage.  
13        In *Hensley v. Eckerhart*, 461 U.S. 424 (1983), a civil rights case, the Supreme Court held that while  
14        the *Johnson* factors might be considered in setting fees, the lodestar amount subsumed many of those  
15        factors. *Hensley* at 434, n. 9.<sup>3</sup> The following year, another civil rights case, *Blum vs. Stenson*, 465  
16        U.S. 886 (1984), provided the so-called lodestar calculation:

17           The initial estimate of a reasonable attorney’s fee is properly  
18        calculated by multiplying the number of hours reasonably expended on  
the litigation times a reasonable hourly rate . . . . Adjustments to that  
fee then may be made as necessary in the particular case.

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20        *Blum* at 888.

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23        <sup>2</sup> The original twelve Johnson/Kerr factors were: (1) time and labor required, (2) novelty and difficulty of the questions  
involved, (3) skill requisite to perform the legal services properly, (4) the preclusion of other employment by the attorney  
due to acceptance of the case, (5) the customary fee, (6) whether the fee is fixed or contingent,(7) time limitations  
imposed by the client or the circumstances, (8) amount involved and results obtained, (9) experience, reputation, and  
ability of the attorneys (10) the “undesirability” of the case, (11) nature and length of the professional relationship with  
client, and (12) awards in similar cases.

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26        <sup>3</sup> For discussion of the Johnson/Kerr subsumed factors, see *Morales v. City of San Rafael*, 96 F.3d 359, 364 n.9 (9<sup>th</sup> Cir.  
1996) (“among the subsumed factors . . . are: (1) the novelty and complexity of the issues, (2) the special skill and  
experience of counsel, (3) the quality of representation, and (4) the results obtained”); *Davis v. City & County of San  
Francisco*, 976 F.2d 1536, 1549 (9<sup>th</sup> Cir. 1992), *vacated in part on other grounds*, 984 F.2d 345 (9<sup>th</sup> Cir. 1993)  
(extending *City of Burlington v. Dague*, 505 U.S. 557, 567 (1992), which held that sixth factor “whether the fee is fixed  
or contingent, may not be considered in the lodestar calculation”).

1 Then in 1986, the Supreme Court more explicitly indicated that the factors relevant to  
2 determining fees should be applied using the lodestar approach, rather than an ad hoc approach.  
3 While holding that the attorney's fee provision of the Clean Air Act, 42 U.S.C. § 7401 et seq.,  
4 should be interpreted like that of the Civil Rights Act, the Supreme Court expressly rejected the ad  
5 hoc application of the factors set forth in *Johnson* and thus *Kerr*, stating that "the lodestar figure  
6 includes most, if not all, of the relevant factors constituting a 'reasonable' attorney's fee . . . ."  
7 *Pennsylvania v. Del. Valley Citizens' Council for Clean Air*, 478 U.S. 546, 563-66 (1986); see also  
8 *Blanchard v. Bergeron*, 489 U.S. 87, 94 (1989) ("we have said repeatedly that the initial estimate of  
9 a reasonable attorney's fee is properly calculated by multiplying the number of hours reasonably  
10 expended on the litigation times a reasonable hourly rate").

11        While the lodestar approach is the primary basis for determining fee awards under the federal  
12 fee-shifting statutes and Bankruptcy Code, some of the *Johnson/Kerr* factors, previously applied in  
13 an ad hoc fashion, can still apply in calculating the appropriate hourly rate to use under the lodestar  
14 approach. *Buckridge*, 367 B.R. 191, 201 (C.D. Cal. 2007) (“a court is permitted to adjust the lodestar  
15 up or down using a multiplier based on the criteria listed in §330 and its consideration of the Kerr  
16 factors not subsumed within the initial calculations of the lodestar”); *Dang v. Cross*, 422 F.3d 800,  
17 812 (9<sup>th</sup> Cir. 2005) (court may “adjust the lodestar amount after considering other factors that bear  
18 on the reasonableness of the fee”); *Unsecured Creditors’ Comm. v. Puget Sound Plywood, Inc.*, 924  
19 F.2d 955, 960 (9<sup>th</sup> Cir. 1991) (“Although *Manoa* suggests that starting with the ‘lodestar’ is  
20 customary, it does not mandate such an approach in all cases.... Fee shifting cases are persuasive,  
21 but due to the uniqueness of bankruptcy proceedings, they are not controlling”).

VI.

## **CONCLUSION**

25 This is Cole Schotz's first and final request for compensation and reimbursement of  
26 expenses. Cole Schotz believes that the services rendered for which compensation is sought in this  
27 Application have been beneficial to the estate, that the costs incurred have been necessary and

1 proper, and that the sums requested for the services rendered and the costs incurred are fair and  
2 reasonable.

3 WHEREFORE, Cole Schotz respectfully requests that this Court (i) allow, on a final basis,  
4 compensation and reimbursement of expenses in the total amount of \$20,554.00, which sum  
5 represents compensation to Cole Schotz for legal services rendered in the amount of \$20,480.50 and  
6 reimbursement of expenses of \$73.50; (ii) direct the Chapter 11 Trustee to pay Cole Schotz the  
7 amount due of \$20,554.00; and (iii) grant such other and further relief as may be appropriate under  
8 the circumstances.

9  
10 Dated: December 19, 2019

COLE SCHOTZ P.C.

11 By \_\_\_\_\_  
12 Michael D. Warner

13  
14 SUBMITTED BY:

15 PACHULSKI STANG ZIEHL & JONES LLP

16 By: /s/ Maxim B. Litvak  
17 Maxim B. Litvak

18 Attorneys for Official Committee of Unsecured  
19 Creditors

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## **DECLARATION OF MICHAEL D. WARNER**

I, Michael D. Warner, declare as follows:

1. I am a Member of the law firm of Cole Schotz P.C. ("Cole Schotz"), which maintains offices for the practice of law at 301 Commerce Street, Suite 1700, Fort Worth, Texas 76102, with other offices in New Jersey, New York, Delaware, Maryland, Florida and Dallas, Texas

2. I have personal knowledge of the facts set forth in the *First and Final Fee Application of Cole Schotz P.C. for Allowance and Payment of Compensation and Reimbursement of Expenses for Services Rendered as Financial Advisor to the Official Committee of Unsecured Creditors for the Period August 27, 2019 through September 11, 2019* (the “Application”). By the Application, Cole Schotz seeks final allowance and payment for the services it rendered to the Committee<sup>4</sup> during the Employment Period. If called upon as a witness, I could and would competently testify to all of the facts stated in this declaration.

3. I have personally reviewed the information contained in the Application and in the exhibits to my declaration. Attached hereto as **Exhibit A** is true and correct copies of Cole Schotz's time detail in this matter related to the Employment Period.

4. Cole Schotz has billed \$73.50 on account of expenses, which were billed at the actual rate and outlined in **Exhibit A** attached hereto.

5. The biographies of the attorneys who have worked on this matter and a description of their professional experience and education are attached hereto as **Exhibit B**.

6. I believe the contents of the Application and the exhibits to my declaration to be true and correct.

7. Local Bankruptcy Rule 2016-1(a)(1)(K) Compliance: I have reviewed Local Bankruptcy Rule 2016-1. The Application complies with Local Bankruptcy Rule 2016-1.

<sup>4</sup> To the extent not defined in this declaration, all defined terms shall have the meanings ascribed to them in the Application.

1 I declare under penalty of perjury that the foregoing is true and correct.  
2 Executed this 19<sup>Tb</sup> day of December, 2019, at Fort Worth, Texas.

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4 Michael D. Warner  
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## **EXHIBIT A**

Cole Schotz P.C.  
301 Commerce Street  
Suite 1700  
Fort Worth, TX 76102

FEDERAL ID# 22-2113414

New Jersey — New York — Delaware — Maryland — Florida

# Cole Schotz P.C.

HVI CAT CANYON, INC.- OFFICIAL COMMITTEE OF UNSECURED CREDITORS  
ESCOLLE TENANTS IN COMMON  
215 N. LINCOLN STREET  
SANTA MARIA, CA 93458

Invoice Date: October 29, 2019  
Invoice Number: 846946  
Matter Number: 60103-0001

**Re:** OFFICIAL COMMITTEE OF UNSECURED CREDITORS

FOR PROFESSIONAL SERVICES THROUGH SEPTEMBER 30, 2019

<u>DATE</u>	<u>INITIALS</u>	<u>Description</u>	<u>HOURS</u>	<u>AMOUNT</u>
08/27/19	MDW	STRATEGY CALL WITH J. POMERANTZ RE TRANSFER OF VENUE FROM NY TO ND TX.	0.40	324.00
08/28/19	MDW	STRATEGY DISCUSSION AND INTRODUCTION TO CASE BEING TRANSFERED TO USBC ND TX WITH ATTORNEY J. POMERANTZ.	0.70	567.00
08/29/19	MDW	REVIEW AND PROVIDE COMMENTS TO DRAFT COMMITTEE PLEADING RE INTERIM DIP MOTION.	0.40	324.00
08/29/19	MDW	CALL FROM S. GOLDEN (PACHULSKI) RE POTENTIAL FOR FILING OF COMMITTEE POSITION PAPER RE INTERIM/FINAL DIP HEARING.	0.40	324.00
08/29/19	MDW	MULTIPLE COMMUNICATIONS WITH ATTORNEY J. POMERANTZ RE TRANSFERED CASE FROM NY TO TX.	0.60	486.00
08/29/19	BLW	ADDRESS ISSUES WITH MR. WARNER RE: POTENTIAL TRANSFER OF CASES TO N.D. TEX.	0.40	124.00
08/29/19	KLL	FINALIZE AND FILE STATEMENT OF COMMITTEE RE CASH COLLATERAL MOTION	0.60	153.00
08/29/19	KLL	FINALIZE AND FILE NOTICE OF APPEARANCE	0.40	102.00
08/30/19	KLL	PREPARE COLE SCHOTZ RETENTION APPLICATION	0.50	127.50
08/30/19	KLL	SET UP ECF NOTIFICATIONS FOR CO-COUNSEL	0.20	51.00
08/30/19	KLL	FINALIZE AND FILE PRO HAC VICE APPLICATION RE J. POMERANTZ	0.30	76.50
08/30/19	KLL	FINALIZE AND FILE PRO HAC VICE RE R. FEINSTEIN	0.30	76.50
09/03/19	KLL	REVIEW, FINALIZE AND FILE COMMITTEE RESPONSE TO SURCHARGE MOTION	0.40	106.00
09/03/19	BLW	DRAFT COLE SCHOTZ RETENTION APPLICATION AND EXHIBITS TO SAME.	2.40	840.00
09/04/19	MDW	PARTICPATE IN CONF CALLS (2) WITH COMMITTEE MEMBERS AND LEAD COUNSEL, BEFORE AND AFTER MEETING WITH DEBTORS, AND MEETING WITH DEBTORS RE OVER ALL CASE OBJECTIVES.	4.60	3,864.00
09/04/19	KLL	REVIEW DOCKET AND RETRIEVE FILINGS RELATED TO 9/5 HEARING FOR HEARING PREPARATION FOR M. WARNER	1.60	424.00

## COLE SCHOTZ P.C.

Re: OFFICIAL COMMITTEE OF UNSECURED CREDITORS  
Client/Matter No. 60103-0001Invoice Number 846946  
October 29, 2019  
Page 2

<u>DATE</u>	<u>INITIALS</u>	<u>Description</u>	<u>HOURS</u>	<u>AMOUNT</u>
09/04/19	BLW	ALL HANDS CALL WITH COMMITTEE PROFESSIONALS AND DEBTOR PROFESSIONALS AND REPRESENTATIVES.	1.70	595.00
09/04/19	BLW	ATTEND COMMITTEE PROFESSIONALS CALL.	0.70	245.00
09/04/19	BLW	ADDRESS ISSUES RE: CONFLICTS CHECK SEARCH IN ADVANCE OF COLE SCHOTZ RETENTION BY COMMITTEE.	0.60	210.00
09/05/19	KLL	REVIEW AND REVISE PSZJ RETENTION APPLICATION	0.40	106.00
09/05/19	KLL	REVIEW AND REVISE COMMITTEES INFORMATION MOTION	0.40	106.00
09/05/19	KLL	REVIEW, FINALIZE AND FILE RESPONSE TO CASH MANAGEMENT MOTION	0.60	159.00
09/05/19	KLL	REVISIONS TO COLE SCHOTZ RETENTION APPLICATION	0.60	159.00
09/05/19	KLL	RETRIEVE ADDITIONAL FILINGS FOR M. WARNER RE 9/5 HEARING	0.50	132.50
09/05/19	KLL	REVIEW AND REVISE CM RETENTION APPLICATION	0.40	106.00
09/05/19	BLW	REVISE COMMITTEE INFORMATION MOTION.	1.10	385.00
09/05/19	BLW	CALL WITH LEAD COUNSEL RE: INITIAL CASE ISSUES.	0.30	105.00
09/05/19	KLL	REVIEW, FINALIZE AND FILE COMMITTEE'S RESPONSE TO E&P MOTION	0.60	159.00
09/05/19	MDW	REVIEW AND PROVIDED COMMENTS TO DRAFT OBJECTION RE CASH MANAGMENT MOTION FILED BY THE DEBTOR.	0.40	336.00
09/05/19	KLL	DOWNLOAD AND CIRCULATE ORDERS GRANTING PRO HAC VICE'S RE POMERANTZ AND FEINSTEIN	0.30	79.50
09/05/19	MDW	PREP FOR HEARINGS (REVIEW VARIOUS FILED PLEADINGS, MEET WITH LEAD COUNSEL), AND ATTEND HEARING ON STATUS OF CASE.	4.60	3,864.00
09/05/19	BLW	DRAFT COLE SCHOTZ RETENTION APPLICATION.	1.70	595.00
09/06/19	BLW	DRAFT COLE SCHOTZ RETENTION APPLICATION AND EXHIBITS THERETO.	0.40	140.00
09/06/19	BLW	REVISE COMMITTEE INFORMATION MOTION.	0.30	105.00
09/06/19	BLW	REVIEW AND REVISE COMMITTEE PROFESSIONAL RETENTION APPLICATIONS.	1.20	420.00
09/06/19	KLL	MAKE ADDITIONAL REVISIONS TO DRAFT OF COMMITTEE PROFESSIONAL RETENTION APPLICATIONS	0.30	79.50
09/06/19	KLL	REVIEW AND RESPOND TO CORRESPONDENCE WITH CO - COUNSEL ON STATUS OF UPCOMING FILINGS	0.30	79.50
09/09/19	KLL	SUBMIT TELEPHONIC REQUEST TO COURT FOR R. FEINSTEIN AND SET UP COURT CALL ON SAME	0.30	79.50
09/09/19	BLW	REVIEW MOTION TO WITHDRAW FILED BY DEBTORS' COUNSEL AND MOTION TO EXPEDITE THERETO.	0.20	70.00
09/09/19	MDW	STRATEGY DISCUSSION WITH PACHULSKI RE MOTION TO TRANSFER VENUE, AND CC HEARING ON 9/10/19.	0.50	420.00
09/09/19	KLL	MAKE REVISIONS TO COLE SCHOTZ RETENTION APPLICATION	0.80	212.00
09/09/19	MDW	MULTIPLE CALLS WITH LEAD COUNSEL RE VENUE AND CASH COLLATERAL ISSUES FOR HERING ON 9/10.	1.60	1,344.00

**COLE SCHOTZ P.C.**

Re: OFFICIAL COMMITTEE OF UNSECURED CREDITORS  
Client/Matter No. 60103-0001

Invoice Number 846946  
October 29, 2019  
Page 3

<b>DATE</b>	<b>INITIALS</b>	<b>Description</b>	<b>HOURS</b>	<b>AMOUNT</b>
09/10/19	BLW	RESEARCH PROCEDURAL INFORMATION FOR MR. WARNER IN ADVANCE OF HEARING ON CASH COLLATERAL AND VENUE.	0.20	70.00
09/10/19	KLL	PREPARE NOTICE OF WITHDRAWAL OF APPEARANCE	0.40	106.00
09/20/19	BLW	ADDRESS ISSUES RE: COLE SCHOTZ RETENTION.	0.40	140.00
09/23/19	BLW	REVIEW PSZJ DRAFT CS RETENTION PAPERS AND SUBMIT SAME TO MR. WARNER.	0.40	140.00
09/24/19	BLW	REVIEW PSZJ DRAFT RETENTION PAPERS AND REVISE SAME.	1.70	595.00
09/25/19	KLL	REVISE EXHIBIT TO COLE SCHOTZ RETENTION APPLICATION	0.40	106.00
09/25/19	BLW	FINALIZE CS NDTX COUNSEL RETENTION PAPERS AND TRANSMIT TO LEAD CALIFORNIA COUNSEL.	1.20	420.00

TOTAL HOURS 39.70

PROFESSIONAL SERVICES: \$19,838.00

**COST SUMMARY**

<b>Description</b>	<b>AMOUNT</b>
TRAVEL- MILEAGE/TOLLS	18.00
FILING FEES	50.00
<b>TOTAL COSTS</b>	<b>\$68.00</b>

TOTAL SERVICES AND COSTS: \$ 19,906.00

# Cole Schotz P.C.

Cole Schotz P.C.  
Court Plaza North  
25 Main Street  
Hackensack, NJ 07601  
201-489-3000 201-489-1536  
FEDERAL ID# 22-2113414

New Jersey — New York — Delaware — Maryland — Texas  
— Florida

HVI CAT CANYON, INC.- OFFICIAL COMMITTEE OF UNSECURED CREDITORS  
ESCOLLE TENANTS IN COMMON  
215 N. LINCOLN STREET  
SANTA MARIA, CA 93458

Invoice Date: October 29, 2019  
Invoice Number: 846946  
Matter Number: 60103-0001

## REMITTANCE PAGE

PROFESSIONAL SERVICES THROUGH SEPTEMBER 30, 2019

**Client:** HVI CAT CANYON, INC.  
**Matter:** OFFICIAL COMMITTEE OF UNSECURED CREDITORS

TOTAL FEES:	\$ 19,838.00
TOTAL COSTS:	\$ <u>68.00</u>
TOTAL DUE THIS INVOICE:	\$ 19,906.00

PLEASE RETURN THIS COPY WITH YOUR PAYMENT

Payments may be made electronically  
Bank of America, Account #4380000240  
ABA #026009593 (Wire Transfers)  
ABA #021200339 (ACH Credits)

# Cole Schotz P.C.

Cole Schotz P.C.  
301 Commerce Street  
Suite 1700  
Fort Worth, TX 76102

FEDERAL ID# 22-2113414

New Jersey — New York — Delaware — Maryland — Florida

HVI CAT CANYON, INC.- OFFICIAL COMMITTEE OF UNSECURED CREDITORS  
ESCOLLE TENANTS IN COMMON  
215 N. LINCOLN STREET  
SANTA MARIA, CA 93458

Invoice Date: November 30, 2019  
Invoice Number: 849757  
Matter Number: 60103-0001

**Re:** OFFICIAL COMMITTEE OF UNSECURED CREDITORS

FOR PROFESSIONAL SERVICES THROUGH NOVEMBER 26, 2019

<b>DATE</b>	<b>INITIALS</b>	<b>Description</b>	<b>HOURS</b>	<b>AMOUNT</b>
10/05/19	BLW	REVIEW SEPTEMBER BILL RE: FEE APPLICATION.	0.20	70.00
10/08/19	KLL	PREPARE COLE SCHOTZ FINAL FEE APPLICATION	0.80	212.00
10/15/19	BLW	ADDRESS ISSUES WITH LEAD COUNSEL RE: CS FEE APP.	0.20	70.00
10/28/19	KLL	REVIEW DOCKET RE OBJECTIONS TO COLE SCHOTZ RETENTION APPLICATION FOR B. WALLEN	0.20	53.00
11/11/19	KLL	REVIEW DOCKET ON STATUS OF ENTRY ON APPLICATION TO EMPLOY CS	0.30	79.50
11/13/19	KLL	REVIEW DOCKET FOR SUBMISSION OF CS ORDER AND STATUS OF OTHER EMPLOYMENT APPLICATIONS FOR B. WALLEN	0.20	53.00
11/22/19	BLW	ADDRESS COLE SCHOTZ RETENTION WITH LEAD COUNSEL.	0.10	35.00
11/26/19	BLW	ADDRESS FINAL FEE APPLICATION.	0.20	70.00
		TOTAL HOURS	2.20	
		PROFESSIONAL SERVICES:		\$642.50

## COST SUMMARY

<b>Description</b>	<b>AMOUNT</b>
COURT FEES	5.50
<b>TOTAL COSTS</b>	<b>\$5.50</b>

TOTAL SERVICES AND COSTS: \$ 648.00

**COLE SCHOTZ P.C.**

Re: OFFICIAL COMMITTEE OF UNSECURED CREDITORS  
Client/Matter No. 60103-0001

Invoice Number 849757  
November 30, 2019  
Page 2

PREVIOUS BALANCE DUE: \$ 19,906.00

**TOTAL DUE THIS INVOICE:** \$ **20,554.00**

# Cole Schotz P.C.

Cole Schotz P.C.  
Court Plaza North  
25 Main Street  
Hackensack, NJ 07601  
201-489-3000 201-489-1536  
FEDERAL ID# 22-2113414

New Jersey — New York — Delaware — Maryland — Texas  
— Florida

HVI CAT CANYON, INC.- OFFICIAL COMMITTEE OF UNSECURED CREDITORS  
ESCOLLE TENANTS IN COMMON  
215 N. LINCOLN STREET  
SANTA MARIA, CA 93458

Invoice Date: November 30, 2019  
Invoice Number: 849757  
Matter Number: 60103-0001

## REMITTANCE PAGE

PROFESSIONAL SERVICES THROUGH NOVEMBER 26, 2019

**Client:** HVI CAT CANYON, INC.  
**Matter:** OFFICIAL COMMITTEE OF UNSECURED CREDITORS

TOTAL FEES:	\$ 642.50
TOTAL COSTS:	\$ <u>5.50</u>
TOTAL DUE THIS INVOICE:	\$ 648.00
PREVIOUS BALANCE DUE:	\$ <u>19,906.00</u>
<b>AMOUNT DUE:</b>	<b>\$ <u>20,554.00</u></b>

PLEASE RETURN THIS COPY WITH YOUR PAYMENT

Payments may be made electronically  
Bank of America, Account #4380000240  
ABA #026009593 (Wire Transfers)  
ABA #021200339 (ACH Credits)

## **EXHIBIT B**

# Cole Schotz P.C.



## Michael D. Warner

Member

TEL: 817-810-5265  
MOBILE: 817-832-5566  
FAX: 817-977-1611  
[mwarner@coleschotz.com](mailto:mwarner@coleschotz.com)

Michael Warner has a nationwide corporate restructuring practice which focuses on representing clients in reorganization cases, mergers and acquisitions, and out of court workouts. His education and experience as an accountant offers clients invaluable counsel in today's highly complex business environment. Mr. Warner's experience in multiple fields provides his clients with vital advice and guidance to assist in both legal and business issues. Mr. Warner approaches client representation with business sense and an eye toward resolution and results rather than prolonged disputes and litigation. Mr. Warner has significant experience in the negotiation and structuring of complex business transactions. Mr. Warner has litigated significant issues in Bankruptcy Courts through the Country. Mr. Warner resides in Texas, and maintains offices in the Firm's Texas offices (Fort Worth, Dallas and Houston).

In Mr. Warner's 34 years of practice in the restructuring field he has and continues to regularly represent all constituents in insolvency matters, including debtors, secured and unsecured creditors, official creditors committees, trustees, bond and debt agents, and equity holders. Mr. Warner has unique skills and experiences in real estate restructuring transactions, debt financing and modification transactions, both in and out of court, the financial services industry, the oil and gas industry, the food industry and the steel industry.

Mr. Warner has also been appointed Examiner by Bankruptcy Courts and is currently the Liquidating Trustee under the Confirmed Plan of Liquidation for University General Health Systems, Inc. (Houston, TX).

A sampling of the matters Mr. Warner has recently handled and is currently handling, include:

On behalf of Debtors: Mr. Warner was employed as lead counsel, replacing then existing Debtor's counsel, before the Bankruptcy Court, for a nationally flagged Fort Worth hotel, when the Debtor was about to lose its property to foreclosure by its secured creditor, owed in excess of \$45 Million. Mr. Warner commenced litigation and undertook efforts to permit the sale of the hotel, which ultimately resulted in a 100% distribution to all creditors and a significant return to equity.

# Cole Schotz P.C.

In a recent Debtor matter, Mr. Warner was lead insolvency counsel to alleged Debtors, in two companion involuntary cases, in the Bankruptcy Court, Northern District of Texas, in which in excess of 7 days of trial time was conducted by the Court.

On behalf of Creditors Committees: Mr. Warner has been lead counsel for multiple Official Creditors Committees throughout the Country in many diverse industries. Such cases have and currently include:

- Neighbors Legacy Health - Houston, TX (Emergency Room Operations)
- Westmoreland Coal - Houston, TX (Coal Producer) [Co-Counsel]
- SeaDrill Limited – Houston, TX (Oil/Gas Drilling) [Co-counsel]
- Energy and Exploration Partners - Fort Worth, TX (oil and gas production) [Co-Counsel]
- Ignite Restaurant – Houston, TX (Restaurant Chain) [Co-Counsel]
- Forest Park Medical Center at Fort Worth - Fort Worth, TX (Hospital/Medical) [Co-Counsel]
- Monitor Company - Wilmington, DE (financial services company)
- Brown Publishing - New York, NY (publishing and newspapers)
- Delphi Corp. - New York, NY (auto parts manufacturer) [Co-Counsel]
- Patriot Coal – New York, NY (coal mining operations) [conflicts counsel]
- First Magnus Financial Corp. - Tucson, AZ (mortgage lender)
- DLH Master Land Holding, LLC - Dallas, TX (commercial real estate developer)
- OneTravel Holdings, Inc. - San Antonio, TX (internet-based travel business)
- Creative Foods, LLC - Jonesboro, AR (manufacturer of private label foods)
- Divine, Inc. - Boston, MA (software and information technology service provider)
- Orion Refining, Corp. - Wilmington, DE (independent oil refiner)
- Georgetown Steel Corp. - Columbia, SC (wire rod steel producer)
- Tokheim Corp. - Wilmington, DE (gas pump equipment manufacturer)
- Bayou Steel, Inc. - Dallas, TX (steel bar manufacturer)
- Lucerne Products, Inc. - Akron, OH (electric switch manufacturer)
- Jayhawk Acceptance Corp. - Dallas, TX (sub-prime auto lender)
- Hiuka Steel Corp. - San Bernardino, CA (scrap steel consolidator)
- Software, Etc. - Dallas, TX (owner/operator of 700+ retail software locations) [counsel to Official Equity Committee]

On behalf of Members of Creditors Committees: Mr. Warner is regularly retained to represent the interests of clients as members while serving on Official Creditors Committees and he sits side by side with the Committee-member business representative of the client in all Committee matters. Recently, Mr. Warner was counsel for members of Official Creditors Committees in these nationally recognized cases:

- Vanguard Natural Resources – Houston, TX (Energy)

# Cole Schotz P.C.

- AMR Corporation (American Airlines) - New York, NY (Legacy airline carrier)
- Northwest Airlines - New York, NY (Legacy airline carrier)
- US Airways - Alexandria, VA (Airline carrier)
- Bethlehem Steel - New York, NY (steel manufacturer)

On behalf of Financial Institutions, Commercial Lenders and Debt Agents: Mr. Warner regularly represents financial institutions, commercial lenders, equipment lessors, and agents representing lenders in various capacities. These matters generally focus on issues of valuation of collateral for debt obligations, negotiations and litigation regarding plans of reorganization, and recovery of collateral. By way of example Mr. Warner was counsel in the following recent matters:

- Linn Energy – Houston, TX (E&P Company) co-counsel to the Agent for an unsecured debt in excess of \$3 Billion.
- Energy 21 – Houston, TX (E&P Company) co-counsel to the Agent for an unsecured debt in excess of \$1 Billion.
- FRE Real Estate – Fort Worth, TX (Owner/operating of 700,000 square foot office towers) – represented the Agent for a secured \$60 Million debt instrument held by various hedge funds – cash collateral use litigation and relief from stay litigation.
- Triple T Coil Tubing – Laredo, TX (Oil & Gas Services – coil tubing and pumping equipment) – representing the lessor of the Debtors' equipment, in lease termination litigation.

On behalf of Hedge Funds: Mr. Warner frequently represents nationally recognized hedge funds holding secured and unsecured debt, including bond and note debt, in their capacities as members of steering committees of such debt instruments, and as individual holders of the debt, at times taking positions distinct from that of other holders and, where appropriate, positions that may be in contrast to the position of an Agent that might otherwise represent all of the holders of the obligation. Such matters span many jurisdictions throughout the Country, and include addressing debtor in possession financing, cash collateral use, plan of reorganization and liquidation negotiations, asset liquidations, post-confirmation avoidance action litigation and fiduciary breach litigation. By way of example Mr. Warner is or was involved in the following matters:

- Lake At Las Vegas – Las Vegas, NV (real estate developer) – representing the largest secured debt holder in pre and post confirmation litigation, including the \$450 Million fraudulent transfer litigation in the United States District Court, District of Nevada.
- Yellowstone Mountain Club – Billings, MT (resort developer) – represented various hedge funds holding in excess of \$31 Million in secured debt.
- Utah 7000, LLC (a/k/a Promontory Mountain Cub) – Salt Lake City, UT (resort developer) - represented various hedge funds holding approximately \$90 Million in secured debt

Other Significant Matters: In the last few years Mr. has been appointed as Examiner by the Bankruptcy Court in the following matters:

# Cole Schotz P.C.

- Stone Energy, Houston, TX (E&P Company) – represented all Senior Management, and the Chairman of the Board of Directors, in connection with the Chapter 11 case, including negotiations of severance, benefits and compensation issues.
- Illinois Power Generating Company (GENCO), Houston, TX (Energy) – represented the Chief Restructuring Officer in connection with the Chapter 11 case, including compensation and retention issues.
- ASARCO, Corpus Christi, TX (worldwide copper mine operations) – Mr. Warner was appointed to address the implementation of the Bankruptcy Court's order approving the sale procedures for all of the estates' assets, which was ultimately a \$2+ Billion transaction. Due to significant disputes among various parties, including the Debtors, the Committee, the environmental claimants, the asbestos claimants, and the Debtors' equity holder, the Court determined that the Examiner would oversee the implementation of the Court's bid procedures, to assure that all interested parties were provided full access and ability to bid on substantially all of the estates' assets.
- Crayhon, Reno, NV, (drug developer) – Mr. Warner's appointment required the use of his accounting skills to investigate various alleged wrongful insider transactions.

A native of Los Angeles, California, Mr. Warner graduated from California State University Northridge (B.S., accounting, 1981) and Southwestern University School of Law (J.D., 1984). He is licensed to practice law in California and Texas. Mr. Warner lives on a working horse and cattle ranch west of Fort Worth, Texas with his wife. Mr. Warner is a member of the Executive Committee of the Board of Directors, and the Audit and Long Range Planning Committees of the Fort Worth Stock Show and Rodeo.

# Cole Schotz P.C.



## Benjamin L. Wallen

Associate

TEL: 817-810-5264

MOBILE: 817-980-7535

FAX: 817-977-5273

[bwallen@coleschotz.com](mailto:bwallen@coleschotz.com)

Ben Wallen is an associate in the firm's Bankruptcy and Corporate Restructuring Department and is based in the Fort Worth, Texas office. Ben is also a certified mediator.

Ben graduated from the University of Oklahoma in 2013 and from the University of Houston Law Center in 2016. While in law school, he was a judicial intern for the Honorable David R. Jones, U.S. Bankruptcy Court for the Southern District of Texas and for the Honorable Harold R. DeMoss Jr., U.S. Court of Appeals for the Fifth Circuit. Ben also worked for the Mexican government as a legal intern for la Comisión Nacional de Hidrocarburos. In addition, Ben was a research assistant to Professor Jim Hawkins and served as the Chief Articles Editor for the *Houston Business and Tax Law Journal*, where he currently serves on the board of trustees. Shortly before graduating law school, Ben was awarded the American Bankruptcy Institute Medal of Excellence. In his free time, Ben is an avid Dallas Cowboys fan and enjoys exploring Fort Worth.

**PROOF OF SERVICE OF DOCUMENT**

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
**10100 Santa Monica Boulevard, 13<sup>th</sup> Floor, Los Angeles, CA 90067**

A true and correct copy of the foregoing document entitled (*specify*): **AMENDED FIRST AND FINAL APPLICATION OF COLE SCHOTZ P.C. FOR ALLOWANCE AND PAYMENT OF COMPENSATION AND REIMBURSEMENT OF EXPENSES FOR SERVICES RENDERED AS CO-COUNSEL TO THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS FOR THE PERIOD AUGUST 27, 2019 THROUGH SEPTEMBER 11, 2019; DECLARATION OF MICHAEL D. WARNER IN SUPPORT THEREOF** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) **December 20, 2019**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On (*date*) **December 20, 2019**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (state method for each person or entity served):** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) **December 20, 2019**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

**VIA OVERNIGHT DELIVERY**

Honorable Martin R. Barash  
U.S. Bankruptcy Court  
21041 Burbank Boulevard, Suite 342 / Courtroom 303  
Woodland Hills, CA 91367-6603

**VIA EMAIL**

Brian Corson: brian@hubmac.com  
Vincent Martinez: vmartinez@twitchellandrice.com  
John Hochleutner: john@ppcinc.biz

Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

December 20, 2019      Nancy H. Brown  
Date                        Printed Name

/s/ Nancy H. Brown  
Signature

## SERVICE INFORMATION FOR CASE NO. 19-bk-11573-MB

### 1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF)

- William C Beall will@beallandburkhardt.com, carissa@beallandburkhardt.com
- Alicia Clough aclough@loeb.com, mnielson@loeb.com,ladocket@loeb.com
- Marc S Cohen mscohen@loeb.com, klyles@loeb.com
- Alec S DiMario alec.dimario@mhllp.com, debra.blondheim@mhllp.com;Syreeta.shoals@mhllp.com
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- Eric P Israel eisrael@DanningGill.com, danninggill@gmail.com;eisrael@ecf.inforuptcy.com
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- Jeannie Kim jkim@friedmanspring.com
- Maxim B Litvak mlitvak@pszjlaw.com
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- Darren L Patrick dpatrick@omm.com, darren-patrick-1373@ecf.pacerpro.com
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- Todd C. Ringstad becky@ringstadlaw.com, arlene@ringstadlaw.com
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- Sonia Singh ssingh@DanningGill.com, danninggill@gmail.com, ssingh@ecf.inforuptcy.com
- Daniel A Solitro dsolitro@lockelord.com, ataylor2@lockelord.com
- Ross Spence ross@snowspencelaw.com, janissherrill@snowspencelaw.com; donnasutton@snowspencelaw.com; brittanyDecoteau@snowspencelaw.com
- Christopher D Sullivan csullivan@diamondmccarthy.com, mdomer@diamondmccarthy.com; kmartinez@diamondmccarthy.com
- Jennifer Taylor jtaylor@omm.com
- John N Tedford jtedford@DanningGill.com, danninggill@gmail.com; jtedford@ecf.inforuptcy.com
- Salina R Thomas bankruptcy@co.kern.ca.us
- Patricia B Tomasco pattytomasco@quinnmanuel.com, barbarahowell@quinnmanuel.com; cristinagreen@quinnmanuel.com
- Fred Whitaker lshertzer@cwlawyers.com
- William E. Winfield wwinfield@calattys.com, scuevas@calattys.com
- Richard Lee Wynne richard.wynne@hoganlovells.com, tracy.southwell@hoganlovells.com; cindy.mitchell@hoganlovells.com
- Emily Young pacerteam@gardencitygroup.com, rjacobs@ecf.epiqsystems.com; ECFInbox@epiqsystems.com
- Aaron E de Leest adeleest@DanningGill.com, danninggill@gmail.com; adeleest@ecf.inforuptcy.com

### SERVED BY EMAIL

- Carolyn Virginia Carollo carolyncarollo@snowspencelaw.com, janissherrill@snowspencelaw.com
- Sid J. Garabato rjacobs@ecf.epiqsystems.com
- Elizabeth Mary Guffy eguffy@lockelord.com
- Alan Harry Katz akatz@lockelord.com
- Jarrod Barclay Martin jarrod.martin@mhllp.com, lara.coleman@mhllp.com
- Kevin D. McCullough kdm@romclaw.com, rdecorde@romclaw.com
- Shannon Smith Thomas sthomas@romclaw.com, rdecorde@romclaw.com
- United States Trustee ustpregion06.da.ecf@usdoj.gov
- Eric M. Van Horn ericvanhorn@spencerfane.com

---

This form is mandatory. It has been approved for use by the United States Bankruptcy Court for the Central District of California.

**2. SERVED VIA U.S. FIRST CLASS MAIL**

ANN JENNY SCHUPP C/O M H WHITTIER CORP. 1600 HUNTINGTON DRIVE SOUTH PASADENA, CA 91030	BRUCE S. GELBER DEPUTY ASST ATTORNEY GENERAL ENVIRONMENT & NATURAL RESOURCES DIV. 950 PENNSYLVANIA AVE WASHINGTON, DC 20530	CALIFORNIA DEPT. OF TOXIC SUBSTANCE CONTROL (BERKLEY REGIONAL OFFICE) 700 HEINZ AVENUE SUITE 200 BERKELEY, CA 94710-2721
CALIFORNIA FRANCHISE TAX BOARD PO BOX 942857 SACRAMENTO, CA 94257-0500	CALIFORNIA OSHA 1515 CLAY STREET, SUITE 1901 OAKLAND, CA 94612	CALIFORNIA STATE CONTROLLER BETTY T. YEE TAX ADMINISTRATION SECTION PO BOX 942850 SACRAMENTO, CA 94250-5880
CHARLES C. ALBRIGHT TRUSTEE 729 WEST 16TH STREET #B8 COSTA MESA, CA 92627	DIANE T. WALKER 748 OCEANVILLE ROAD STONINGTON, ME 04681-9714	FIRST AMERICAN TITLE INS. COMPANY TRUSTEE FOR UBS AG LONDON BRANCH 4380 LA JOLLA VILLAGE DRIVE, STE 110 SAN DIEGO, CA 92122
HVI CAT CANYON, INC. P.O. BOX 5489 SANTA MARIA, CA 93456	INTERNAL REVENUE SERVICE CENTRALIZED INSOLVENCY OPERATIONS PO BOX 7346 PHILADELPHIA, PA 19101-7346	INTERNAL REVENUE SERVICE (SMALL BUSINESS/SELF-EMPLOYMENT DIV) 5000 ELLIN ROAD LANHAM, MD 20706
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